

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RICARDO COPANTITLA, DIEGO DIAZ DE LA VEGA, IGNACIO GARCIA, FREDDY GUACHUN, JULIO LANTIGUA, MANUEL LIZANDRO, MARTIN LOPEZ, SEBASTIAN LOPEZ, AUGUSTIN MALDONADO, HENRY MATUTE, JOELITO MELENDEZ, AUSSENCIO RAMIREZ, and JOSE LUIS VARGAS,

09 Civ. 1608 (RJH)

Plaintiff,

-against-

FISKARDO ESTIATORIO, INC. d/b/a THALASSA RESTAURANT, GEORGE MAKRIS, JULIA MAKRIS, STEVE MAKRIS, and FANTIS FOODS, INC.,

Defendant.

**NOTICE OF MOTION FOR PARTIAL SUMMARY JUDGMENT**

PLEASE TAKE NOTICE that, upon the annexed Declaration of Marc D. Ashley in Support of Plaintiffs' Motion for Partial Summary Judgment, executed November 15, 2010, and the exhibits thereto, the annexed Plaintiffs' Rule 56.1 Statement of Undisputed Material Facts, the Memorandum of Law in Support of Plaintiffs' Motion for Partial Summary Judgment, and upon all the prior pleadings and proceedings had herein, plaintiffs Ricardo Copantitla, Diego Diaz de la Vega, Ignacio Garcia, Freddy Guachun, Julio Lantigua, Manuel Lizondro,<sup>1</sup> Martin Lopez, Sebastian Lopez, Augustin Maldonado, Henry Matute, Joelito Melendez, and Jose Luis

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<sup>1</sup> Plaintiff Manuel Lizondro is inaccurately referred in the Complaints as "Lizandro."

Vargas (collectively, "Plaintiffs")<sup>2</sup>, by and through their attorneys shall move before the Honorable Richard J. Holwell, on March 4, 2011, for an order seeking partial summary judgment on behalf of Plaintiffs, and granting Plaintiffs such other and further relief as this Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the schedule agreed upon by the parties and approved by the Court, Defendants' papers in opposition to this motion are to be served on or before December 17, 2010. Plaintiffs' reply papers are to be served on or before January 12, 2011.

Dated: New York, New York  
November 15, 2010

Respectfully submitted,  
CHADBOURNE & PARKE LLP

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<sup>2</sup> Aussencio Ramirez is also a plaintiff in this action. Plaintiffs do not move for summary judgment on allegations in the Complaint relating to Ramirez but reserve the right to pursue such claims at trial.

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